
By: **Delegates Amedori and Burns**

Introduced and read first time: February 25, 1999

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Foreign Marriages - Invalidity**

3 FOR the purpose of providing that a marriage between two individuals of the same
4 sex that is validly entered into in another state or in a foreign country is not
5 valid in this State; providing that certain contractual rights or obligations
6 created by a marriage between individuals of the same sex are void; defining
7 "marriage" and "spouse"; altering the definition of a "foreign marriage"; and
8 generally relating to the validity of certain marriages in the State.

9 BY adding to

10 Article - Family Law
11 Section 2-101(e) and (f)
12 Annotated Code of Maryland
13 (1999 Replacement Volume)

14 BY repealing and reenacting, with amendments,

15 Article - Family Law
16 Section 2-201 and 2-502(a)
17 Annotated Code of Maryland
18 (1999 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Family Law**

22 2-101.

23 (E) "MARRIAGE" MEANS A LEGAL UNION BETWEEN A MAN AND A WOMAN AS
24 HUSBAND AND WIFE.

25 (F) "SPOUSE" MEANS A MEMBER OF A LEGAL UNION BETWEEN A MAN AND A
26 WOMAN AS HUSBAND AND WIFE.

1 2-201.

2 (A) Only a marriage between a man and a woman is valid in this State.

3 (B) (1) A MARRIAGE BETWEEN TWO INDIVIDUALS OF THE SAME SEX THAT IS
4 VALIDLY ENTERED INTO IN ANOTHER STATE OR IN A FOREIGN COUNTRY IS NOT
5 VALID IN THIS STATE.

6 (2) A MARRIAGE BETWEEN TWO INDIVIDUALS OF THE SAME SEX MAY
7 NOT BE RECOGNIZED BY THE STATE AS BEING ENTITLED TO THE BENEFITS OF
8 MARRIAGE.

9 (3) ANY CONTRACTUAL RIGHTS OR OBLIGATIONS CREATED BY A
10 MARRIAGE BETWEEN TWO INDIVIDUALS OF THE SAME SEX ARE VOID.

11 2-502.

12 (a) In this section, "foreign marriage" means a marriage ceremony:

13 (1) performed outside this State; [and]

14 (2) BETWEEN A MAN AND A WOMAN; AND

15 [(2)] (3) in which 1 or both of the parties were or are citizens of this
16 State.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1999.